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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/295,935	04/21/1999	POLLY STECYK	240/103	7765

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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2614

13

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/295,935

Applicant(s)

STECYK ET AL.

Examiner

Annan Q Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by **Cragun et al (5,973,683)**.

As to claim 1, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a method of supervising personal exposure to a consumer electronics device. The claimed method comprising...is met as follows: the claimed "receiving a program signal..." is met by Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals "a program signal" from Multimedia Provider 44, via Telephone Service Provider 42, and sends a control signals to REC 40 to control the audio/video "discernible" information of TV-D 36; CS-10 also receives the content rating "content-based indicator" indicative of the content of the audio/video information, note col. 8, lines 1-35 and line 56-65, note that the television program scheduling contains timing information indicative of a reference time; the

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parent or the user uses the User Input 52 to select the content rating "content-based specification," note col. 9, lines 47-65, the Parent or User selects time intervals "finite time range specification" associated with the selected content rating, note col. 10, lines 44-60, compares the selected content rating with rating received and when the reference time falls within the selected time interval, generates a control signal based on the comparison, that causes only allow programs which are approved for viewing within a selected time intervals to be displayed on the child's television.

As to claim 2, Cragun further discloses, a method where the content rating is transmitted with the program signal, note col. 8, lines 60-65.

As to claim 3, Cragun further discloses, a method where the content rating and the timing information is transmitted with the program signal, note col. 8, lines 60-65.

As to claim 4, Cragun further discloses, a method where the timing information is generated within the CS-10 and REC-40, note col. 8, lines 60-65.

As to claim 5, Cragun further discloses where the reference time indicated by the timing information is the current time, note col. 8, lines 60-65 and col. 10, lines 44-60.

As to claim 6, Cragun further discloses where the content-based indicator and the selected content-based specification is a content rating, note col. 8, lines 60-65.

As to claim 7, Cragun further discloses where the blocking signal is generated if the received rating exceeds the selected content rating, note col. 8, lines 25-35 and col. 11, line 55-col. 12, line 2.

As to claim 8, Cragun further discloses where the received rating and the selected rating is a subject matter category, col. 8, lines 25-35 and col. 12, lines 14-24, note that "undesirable content" is the subject matter category.

As to claim 9, Cragun further discloses where a block control signal is generated if the received content or category such as violence and language matches the selected content, note col. 12, lines 43-61, note that the Adult User can control the value associated with each content and generate a block signal if the undesirable content matches, above or below a set threshold

As to claims 10 and 11, Cragun further discloses where the control signal is a block control signal and comprises impairing the program signal in response to the block control signal and block the program in response to a block control signal, note col. 11, lines 60-col. 12, line 24.

As to claim 12, Cragun further discloses where the parental control apparatus is a television system and the user discernible information comprises audio/video information, note col. 8, lines 1-10 and line 60-65.

As to claim 13, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a method of supervising the exposure to a consumer electronics device. The claimed method comprising...is met as follows: the claimed "receiving a program signal..." is met by Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals "a program

signal" from Multimedia Provider 44, via Telephone Service Provider 42, and sends a control signals to REC 40 to control the audio/video "discernible" information of TV-D 36; CS-10 also receives the rating "content-based rating" indicative of the content of the audio/video information, note col. 8, lines 1-35 and line 56-65, note that the television program scheduling contains timing information indicative of a reference time; the parent or the user uses the User Input 52 to select the content rating "content-based specification," note col. 9, lines 47-65, the Parent or User selects time intervals "finite time range specification" associated with the selected content rating, note col. 10, lines 44-60, and compares the selected content rating with content rating received and when the reference time falls within the selected time interval, impairing the program signal if the received content rating exceeds the selected content rating.

As to claim 14, Cragun further discloses where the program is impaired by scrambling the program signal, note col. 10, lines 44-60 and col. 11, lines 35-col. 12, line 2.

As to claim 15, Cragun further discloses impairing the program signal by blocking out the program signal, note col. 10, lines 44-60 and col. 11, lines 35-col. 12, line 2.

As to claim 16, Cragun inherent teaches where the selected time interval repeats for each day of a workweek, note col. 10, lines 30-35, note various automated functions could be selected by the user, as such the time range could be selected to repeat for each day of a workweek.

As to claim 17, Cragun further discloses selecting a second rating different from the first selected rating and selecting different time intervals with the selected rating,

note col. 10, lines 44-60 and col. 12, lines 13-23, note that different lockout or blackout of programs and selected rating are set to meet the various user profiles, and the various selected rating are compared with the received rating and selected time intervals to impaired the program signal based on the selected criteria.

As to claim 18, Cragun further discloses selecting time intervals associated with the selected content rating and comparing the first selected content rating with the received content rating when the reference time falls within the selected time intervals, note col. 10, lines 44-60 and col. 12, lines 13-23,

As to claim 19, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a recordable medium for a consumer electronics device. The claimed computer program comprising the steps of...is met as follows: the claimed "receiving a program signal..." is met by Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals "a program signal" from Multimedia Provider 44, via Telephone Service Provider 42, and sends a control signals to REC 40 to control the audio/video "discernible" information of TV-D 36; CS-10 also receives the rating "content-based indicator" indicative of the content of the audio/video information, note col. 8, lines 1-35 and line 56-65, note that the television program scheduling contains timing information indicative of a reference time; the parent or the user uses the User Input 52 to select the content rating "content-based specification," note col. 9, lines 47-65, the Parent or User selects time intervals "finite

time range specification" associated with the selected content rating, note col. 10, lines 44-60, compares the selected content rating with content rating received and when the reference time falls within the selected time interval, generates a control signal based on the comparison, that causes only allow programs which are approved for viewing within a selected time interval to be displayed on the child's television.

As to claim 20, Cragun further discloses where the received program content and the selected content is a rating, note col. 8, lines 25-35 and line 56-65.

Claim 21 is met as previously discussed with respect to claim 7.

Claim 22 is met as previously discussed with respect to claim 8.

Claim 23 is met as previously discussed with respect to claim 9.

Claim 24 is met as previously discussed with respect to claim 10.

As to claim 25, note the **Cragun et al** reference figures 2 and 3, disclose dynamic regulation of television viewing content based on viewer profile and viewing history and further disclose a consumer electronics device having "V-chip" circuitry for supervising personal exposure to user discernible information. The claimed consumer electronics device having "V-chip" circuitry comprising...is met as follows: the claimed "non-volatile memory..." is inherent to Computer System 10 (CS-10), note figure 2 and col. 7, lines 40-65, note that Television Display 36 (TD-36) and CS-10 are coupled together via Receiver 40 (REC-40) and CS-10 receives broadcast signals and also receives via Parent or User Input, selected rating "content-based specification" and a selected time interval "finite time range specification," note col. 10, lines 44-60; the claimed "a logic unit..." is inherent to CS-10, note that CS-10 compares the content

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rating received with the selected content rating and when the reference time falls within the selected time interval, CS-10 generates a control signal in response to the comparison and causes "a signal impairment mechanism" inherent to CS-10, based on the control signal, selectively pass only allow programs which are approved for viewing, note col. 10, lines 44-60 and col. 12, lines 13-24.

As to claim 26, Cragun further the claimed signal impairment mechanism is inherent to Receiver 40, note figure 2 and col. 8, line 1-24, note that CS-10 is coupled to Display 36 and sends control signals via Receiver 40 to control the television display 36.

As to claim 27, the claimed "data entry system...." is met by CS-10, col. 8, line 1-24, note that CS-10 receives selected rating via User Input 52, including selected time intervals and stores in the memory of CS-10.

As to claims 28-29, the claimed "non-volatile memory," "data extraction device," are all inherent to CS-10, note figure 2 and col. 7, line 61-col. 8, line 35, note that CS-10 inherently includes a memory that stores a look-up list of various selected rating and selected time intervals (col. 10, line 44-60) and extraction device that extracts the received rating and reference time from the program signal.

As to claim 30, the claimed "switch..." is inherent to CS-10, note that CS-10 compares the received rating and the selected rating and time and activates a switch to block undesirable content from the program signal.

Claim 31 is met as previously discussed with respect to claim 12.

Claim 32 is met as previously discussed with respect to claim 27.

As to claim 33, Cragun further selecting rating and time intervals pre-programmed by the manufacturer of CS-10, note col. 8, lines 25-35, note that CS-10, includes a "V-Chips" that is pre-programmed by the manufacturer of CS-10 and comprises a data entry system for selecting the pre-programmed content rating and selected time intervals.

Claim 34 is met as previously discussed with respect to claim 33.

Response to Arguments

3. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection discussed above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Knowles et al (6,505,348) disclose a multiple interactive electronic program guide system and methods.

Decarmo (2002/0016962) discloses method and system for selecting content in a media stream.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone numbers


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for the organization where this application or proceeding is assigned are **703-746-5991** for regular communications and **703-746-5991** for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is **703-306-0377**.



Annan Q. Shang
July 22, 2003



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600